

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

**360 DEGREES EDUCATION, LLC,
ET AL.,**

Plaintiffs,

v.

No. 4:24-cv-00508-P

**U.S. DEPARTMENT OF EDUCATION,
ET AL.,**

Defendants.

SCHEDULING ORDER

Having considered the Parties' status report, Rule 16(b) of the Federal Rules of Civil Procedure, and this Court's local rules, the Court finds that the following schedule governs the disposition of this case:¹

- 1. Joinder of Parties or Amendment of Pleadings:** By **September 30, 2024**, all motions requesting joinder of additional parties or amendments of pleadings must be filed.
- 2. Dispositive Motions:** By **October 25, 2024**, all motions that dispose of all or any part of this case (*e.g.*, summary judgment) must be filed. Each motion, response, or reply must be formatted as follows: Times New Roman, 12-point font, double-spaced text, single-spaced and bolded headings, one-inch margins on all sides, justified, centered page numbers, and single-spaced footnotes. Citations should be in text (not in footnotes), include italicized case names (not underlined) and statutes in small caps, and

¹Unless otherwise ordered or specified herein, all limitations and requirements of the Federal Rules of Civil Procedure and local rules of this Court must be observed. Also, please note that the Court has attempted to adhere to the schedule requested by the parties. In doing so, the Court assumes that the parties thoroughly discussed scheduling issues before submitting their status report and that the parties understand that the deadlines imposed in this Order are firmly in place, absent the few exceptions set forth below.

otherwise comply with the most recent edition of *The Bluebook: A Uniform System of Citation*. Response briefs shall be due within **twenty-one days** of the filing of the opposing party's motion. *See* N.D. TEX. L. CIV. R. 7.1(e). Reply briefs shall be due within **fourteen days** of the filing of the other party's response brief. *See* N.D. TEX. L. CIV. R. 7.1(f).

3. **Certification and Delivery of Administrative Record:** By **August 16, 2024**, Defendants shall deliver to Plaintiffs a completed and certified administrative record by placing a thumb drive containing same in certified overnight delivery via FedEx or a comparable delivery service, with a courtesy copy of same to be delivered to the Court on the same date and by the same means. Should Plaintiffs believe the administrative record to be incomplete or otherwise unsatisfactory, they must notify Defendants and the Court of the alleged deficiencies within **thirty days** thereafter.
4. **Modification of Scheduling Order:** As addressed above, this Order controls the disposition of this case unless the Court modifies it upon a showing of good cause and with leave of court. *See* FED. R. CIV. P. 16(b)(4). Conclusory statements will usually not suffice to show good cause, even if the motion is agreed or unopposed. The Court also does not grant motions to modify the scheduling order as a matter of course. Any request to modify the dates herein must be made (a) in writing to the Court, and (b) in accordance with the United States District Court for the Northern District of Texas Civil Justice Expense and Delay Reduction Plan ¶ V and Local Rule 40.1 (motions for continuance must be signed by the party and by the attorney of record).
5. **Sanctions:** If any party or counsel fail to cooperate in doing anything this Order requires, such party, counsel, or both may be subject to sanctions. No pending dispositive motion or request for affirmative relief (unless otherwise ordered by the Court or permitted by applicable law) relieves a party or counsel of their obligation to comply with the deadlines and instructions required by this Order. Non-compliance with this Order risks docket delays for both this civil action and the Court's other civil and

criminal proceedings. Thus, the Court reserves the right to implement sanctions as necessary to remedy non-compliance, including the dismissal of this case or monetary fines if necessitated.

6. **Electronic Filing Procedures:** This case has been designated for enrollment in the Electronic Case Filing System (CM/ECF). See <http://www.txnd.uscourts.gov/filing/ecf.html> for more information on the ECF system. Now that the case is designated an ECF case, all documents must be filed electronically.² Proposed orders are required to be submitted with EVERY motion. (Modification to Local Rule 7.1(c)). Proposed orders must be submitted via email in Microsoft Word format as instructed in the CM/ECF system's "Proposed Orders" Event. The proposed orders must be emailed to pittman_orders@txnd.uscourts.gov and include the case number and the document number of the referenced motion in the subject line (e.g., 4-23-cv-001, ECF No. 100).
7. **Citations:** All briefs filed with the Court shall comply with the most recent edition of *The Bluebook: A Uniform System of Citation*. Particularly, counsel is directed to provide the subsections of cited statutes and pinpoint citations of cases (i.e., provide the page where the stated legal proposition can be found). See *Bluebook* Rules 3.2-3.4 (Columbia Law Review Ass'n et al. eds, 20th ed. 2015).
8. **Notice:** Each attorney of record must review and adhere to the Local Civil Rules of the Northern District of Texas, viewable at http://www.txnd.uscourts.gov/rules/localrules/lr_civil.html. Each attorney of record must also review and abide by the standards of litigation conduct for attorneys appearing in civil actions in the Northern District of Texas, as outlined in *Dondi Props. Corp. v. Com. Savs. & Loan Ass'n*, 121 F.R.D. 284 (N.D. Tex. 1988) (en banc).

²The undersigned no longer requires courtesy copies of dispositive motions (and accompanying briefs and appendixes) be sent to Chambers.

9. Inquiries: Questions relating to this scheduling order or legal matters should be presented in a motion, as appropriate. Questions about electronic notice or case files must be directed to the Help Desk at 1-866-243-2866. If electronic equipment is needed in the courtroom, notify Brian Rebeck, Fort Worth Division Manager, at 817-850-6613.

No hearing date is set for the Parties' anticipated summary judgment motions at this time. The Court will set the Motions for a hearing if it finds, upon review of the pleadings and relevant legal authorities, that a hearing will assist in an accurate and efficient resolution of the Parties' claims.

SO ORDERED on this **2nd** day of **August 2024**.

A handwritten signature in dark ink, reading "Mark T. Pittman", written over a horizontal line.

MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE